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JUN - 1 1989

Federal Communications Commission
Office of the Secretary
682-3526

PALM BEACH OFFICE
125 WORTH AVENUE
PALM BEACH, FL 33480
(407) 833-5151

HONG KONG OFFICE
ADMIRALTY CENTRE
TOWER 1, 32ND FLOOR
18 HARCOURT ROAD
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425 PARK AVENUE
NEW YORK, NY 10022
(212) 836-8000

LOS ANGELES OFFICE
FOX PLAZA
2121 AVENUE OF THE STARS
LOS ANGELES, CA 90067
(213) 552-6400

IRVING GASTFREUND
WASHINGTON COUNSEL

June 1, 1989

MM 93-6E
RM-6869

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: Amendment of Section 73.202(b)
Table of Allotments
Radio Station WGUL-FM
New Port Richey, Florida

Dear Ms. Searcy:

Submitted herewith for filing, on behalf of our client, WGUL-FM, Inc., licensee of Radio Station WGUL-FM, New Port Richey, Florida, are an original and six copies of its Supplement To Petition For Rulemaking And Request For Issuance Of Order To Show Cause in the above-referenced matter.

Please direct any inquiries concerning this submission to the undersigned.

Respectfully submitted,

KAYE, SCHOLER, FIERMAN,
HAYS & HANDLER

By:

Irving Gastfreund

Enclosures

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

**ORIGINAL
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JUN - 1 1989

In the matter of

Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
And Modification of License of
Radio Station WGUL-FM,
New Port Richey, Florida

) Federal Communications Commission
) Office of the Secretary
) RM- 6869
) MM Docket No. _____
)
)
)

TO: Chief, Policy and Rules Division

SUPPLEMENT TO
PETITION FOR RULEMAKING
AND REQUEST FOR ISSUANCE OF ORDER TO SHOW CAUSE

WGUL-FM, INC. ("WGUL"), licensee of Radio Station WGUL-FM, New Port Richey, Florida, pursuant to Section 1.460(g) of the Commission's Rules, hereby supplements its November 29, 1988, Petition For Rulemaking And Request For Issuance of Order To Show Cause herein (hereinafter "Petition"). In support whereof, it is shown as follows:

I. The Original WGUL Proposal

Radio Station WGUL-FM presently is licensed to operate on Channel 288A (i.e., on the frequency 105.5 MHz) in New Port Richey, Florida. WGUL-FM's November 29, 1988 Petition herein requested an upgrade in the classification of WGUL-FM from a Class A facility to a Class C2 facility on the station's present frequency, plus a request that the station's license be modified to reflect the change.

In order to accomplish the proposed upgrade of WGUL-FM in compliance with the Commission's standards, WGUL's November 29, 1988, Petition requested that the Commission change the frequencies of Radio Station WKZM(FM), Sarasota, Florida, and Radio Station WCAC(FM), Sebring, Florida. Stations WKZM(FM) and WCAC(FM) are presently authorized to operate on Channel 288A (105.5 MHz). WGUL proposed, in its November 29, 1988 Petition, that the Commission change the WKZM(FM) allotment in Sarasota from Channel 288A to Channel 282A (104.3 MHz). In addition, WGUL proposed, in its Petition, in its that the Commission change the WCAC(FM) allotment in Sebring, Florida from Channel 288A to Channel 289A (105.7 MHz). No other changes to the Commission's FM Table of Allotments (Section 73.202 of the Commission's Rules) were proposed in the Petition. Comments in support of WGUL's Petition were filed herein by both Christian Fellowship Mission, Inc. ("CFM"), licensee of Station WKZM(FM), and Roper Broadcasting, Inc. ("Roper"), licensee of Station WCAC(FM).

II. The Alternative WGUL Proposal

Subsequent to the filing of WGUL's November 1988 Petition herein, on April 17, 1989, the Commission released its First Report and Order in MM Docket No. 88-37, FCC 89-107 (1989), in which it amended its Rules to create a new class of FM station -- i.e., Class C3. Although WGUL still believes that the public interest would best be served by upgrading WGUL-FM to Class C2 status, as proposed in its Petition herein, nonetheless, given

the Commission's creation of Class C3 status for FM stations, and given the fact that, as shown below, WGUL-FM can be upgraded to Class C3 status on its present channel, WGUL is filing its instant Supplement, out of an overabundance of caution, to provide the Commission with an alternative approach to upgrading WGUL-FM's technical facilities -- i.e., to Class C3 status -- in the unlikely event that the Commission should decline to upgrade WGUL-FM to Class C2 status, as proposed in WGUL's November 29, 1988 Petition herein. Consequently, as an alternative to WGUL's Class C2 upgrade proposal, WGUL hereby proposes upgrading WGUL-FM's facilities to Class C3 status. The essence of this alternative proposal is summarized as follows:

<u>Location</u>	<u>Present</u>	<u>Proposed</u>
New Port Richey, FL	288A	288C3
Sarasota, FL	273C, 288A, 292A	273C, 282A, 292A

III. The Alternative WGUL Class C3 Proposal Will Fully Comply With All Applicable Commi[j]ssion Rules

Annexed hereto as Exhibit 1 is the Technical Statement of John A. Lundin, of the firm of du Triel, Lundin & Rackley, Inc., WGUL's consulting engineers. As is noted in Mr. Lundin's Technical Statement, in order to implement the aforementioned changes in the Table of FM Allotments, in full compliance with all applicable Commission Rules, the use of Channel 282A in Sarasota by WKZM(FM) will require a restriction that the transmitter site of that station be located approximately 6 km (i.e., 3.7 miles) south of the Sarasota, Florida, reference

point. The separation study set forth as Table II to Mr. Lundin's annexed Technical Statement is based on an assumed transmitter site for WKZM(FM) which is located approximately 6.3 km (i.e., 3.9 miles) south of the Sarasota reference point and approximately 8.8 km (i.e., 5.5 miles) southwest of the present WKZM(FM) transmitter site. As is noted by Mr. Lundin, operation of WKZM(FM) on Channel 282A in Sarasota at the assumed site would fully comply with the Commission's minimum separation requirements and principal city coverage requirements. Importantly, Christian Fellowship Mission, Inc., the licensee of WKZM(FM), has entered into a modification of its original Agreement with WGUL-FM in which it has consented to the proposed transmitter site and frequency changes for WKZM(FM) in order to accommodate an upgrade of WGUL-FM to Class C2 or Class C3 status. A copy of the original Agreement was annexed as Exhibit 2 to WGUL's November 29, 1988, Petition herein. A copy of the recent modification to that Agreement is annexed hereto as Exhibit 2.

IV. Upgrade of WGUL-FM's Facilities Would Serve The Public Interest

As was shown in WGUL's Petition herein and in Mr. Lundin's annexed Technical Statement, the proposed upgrade of WGUL-FM would improve the overall spectrum efficiency of FM allotments by increasing the station's service area and facilitating the provision of service to areas now receiving either marginal WGUL-FM signal or no signal from the station at all.

The Commission must assure the fair, efficient and equitable use of the radio frequency spectrum. 47 U.S.C. §307(b). This statutory mandate would be furthered by the proposed upgrade and improvement of the facilities of WGUL-FM -- preferably to Class C2 status, but, as an alternative, to Class C3 status.

In this regard, the proposed upgrade would permit WGUL-FM to improve coverage to a significant population and area. As is noted in the annexed Technical Statement of John A. Lundin, WGUL-FM presently operates on Channel 288A with an effective radiated power of only 3 kW and an antenna height of 78 meters (i.e., 255 feet) above average terrain. However, as a Class C3 facility, WGUL-FM would be permitted to transmit with an effective radiated power of up to 25 kW with an effective antenna height of 100 meters (i.e., 328 feet) above average terrain.

As is noted by Mr. Lundin in Exhibit 1 hereto, the present predicted 1 mV/m (60 dBu) contour of WGUL-FM encompasses an estimated population of 174,166 persons and a land area of 797 square km. However, operating as a maximum facility Class C3 station, the predicted 1 mV/m contour of WGUL-FM would encompass an estimated population of 614,371 persons within a land area of 2,336 square km (i.e., 902 square miles). This would represent nearly a 350 percent increase in predicted population served by the station and an increase of nearly 290 percent in the area encompassed by the WGUL-FM predicted 1 mV/m contour.

**V. WGUL-FM's Proposal Is Fully
Consistent With Commission Rules
And Policy To Facilitate FM Upgrades**

The proposed alternative upgrade of WGUL-FM to Class C3 status is fully consistent with the provisions of Section 1.420(g)(3) of the Commission's Rules. Should the Commission decline to upgrade WGUL-FM to Class C2 status, but should the Commission nonetheless ultimately upgrade WGUL-FM to Class C3 status and modify the Table of FM Allotments as proposed herein by WGUL and issue the show cause orders requested by WGUL-FM, WGUL-FM intends to expeditiously file an application for a construction permit to modify the facilities of WGUL-FM to specify operations on Channel 288C3 in New Port Richey, Florida, and, upon grant of such application, to expeditiously construct such modified facilities. Moreover, consistent with the agreement reached by WGUL-FM with the licensee of WKZM(FM) in Sarasota, Florida, and consistent with the procedures set forth in Brookville and Punxsutawney, Pennsylvania, DA 88-1423 (Mass Media Bureau September 19, 1988), WGUL hereby states its intention to reimburse the licensee of WKZM(FM) in accord with the Commission's decision in Circleville, Ohio, 8 FCC 2d 159 (1967).

As discussed above, the requested allotment changes and show cause orders can be adopted and implemented by the Commission in a manner fully consistent with the Commission's Rules. The

substitution of channels proposed herein is legally and technically feasible.

VI. Conclusion

WGUL has demonstrated that Channel 288C3 is available for a channel upgrade for WGUL-FM as an alternative to a Channel C2 upgrade. Commission policy favors the upgrade of existing FM stations, and the proposed upgrade of WGUL-FM is in the public interest.¹

In light of the foregoing, and in light of the facts set forth in WGUL's Petition herein, WGUL respectfully requests that the Commission issue a Notice of Proposed Rulemaking proposing amendment of the Commission's Table of FM Allotments (Section 73.202(b) of the Commission's Rules) to substitute Channel 288C2 for Channel 288A in New Port Richey, Florida; to substitute Channel 282A for Channel 288A in Sarasota, Florida; to substitute Channel 289A for Channel 288A in Sebring, Florida; and that the Commission issue orders to show cause why: (a) WGUL-FM's license should not be modified to specify operations on Channel 288C2; (b) WKZM(FM)'s license should not be modified to specify

1 Pursuant to Paragraph 31 of the First Report & Order in MM Docket No. 88-37, FCC 89-107 (released April 17, 1989), Part 73 of the Commission's Rules was amended effective June 1, 1989 to create the "C3" class of FM station. As a result, this Supplement to WGUL's Petition, proposing, as an alternative, an upgrade to Channel C3 status, filed on June 1, 1989, is timely filed and can be accepted for filing.

operations on Channel 282A; and (c) WCAC(FM)'s license should not be modified to specify operations on Channel 289A. As an alternative to the foregoing, in the event that the Commission declines to take the aforementioned actions, WGUL requests that the Commission issue a Notice of Proposed Rulemaking proposing substitution of Channel 288C3 for Channel 288A in New Port Richey, Florida; substitution of Channel 282A for Channel 288A in Sarasota, Florida; and that the Commission issue orders to show cause why WGUL-FM's license should not be modified to specify operations on Channel 288C3; and why WKZM(FM)'s license should not be modified to specify operations on Channel 282A.

Respectfully submitted,

WGUL-FM, INC.

By:


Irving Gastfreund

Kaye, Scholer, Fierman, Hays & Handler
The McPherson Building
901 Fifteenth Street, N.W.
Washington, D.C. 20005
Its Attorneys

(202) 682-3526

June 1, 1989

12003784

Exhibit 1

du Treil, Lundin & Rackley, Inc.

A Subsidiary of A. D. Ring, P. C.

June 1, 1989

City of Washington)
)ss
District of Columbia)

John A. Lundin, being first duly sworn, upon oath deposes and says that he is a consulting radio engineer, an officer in the firm du Treil, Lundin & Rackley, Inc., with offices at 1019 19th Street, N.W., Washington, D.C. He is a Registered Professional Engineer (Reg. No. 7499) in the District of Columbia. His qualifications as an engineer are a matter of record with the Federal Communications Commission.

The firm of du Treil, Lundin & Rackley, Inc., has been retained by WGUL-FM, Inc., to provide technical information in support of a Supplement to its Petition for Rule Making (Petition). WGUL-FM, Inc., is the licensee of FM Radio Station WGUL-FM on channel 288A (105.5 MHz) at New Port Richey, Florida. On November 29, 1988 WGUL-FM, Inc. filed a "Petition for Rulemaking and Request for Issuance of Order to Show Cause", requesting a co-channel upgrade for WGUL-FM from Channel 288A to Channel 288C2. To accomplish the upgrade, it was also proposed to change station WKZM(FM) at Sarasota, Florida from Channel 288A to Channel 282A (104.3 MHz), and change station WCAC(FM) at Sebring, Florida from Channel 288A to Channel 289A (105.7 MHz).

Subsequent to the filing of the WGUL-FM Petition, the Commission adopted a new intermediate class of FM station, Class C3. The purpose of the present supplement to the Petition is to provide an alternative upgrade proposal for WGUL-FM should the Commission determine that WGUL-FM's Class C2



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A.D. Ring, Founder
L. Robert du Treil
John A. Lundin
Ronald D. Rackley

Steven J. Crowley
L. Robert du Treil, Jr.
Ann Gallagher
W. Jeffrey Reynolds

James D. Sadler
Timothy Z. Sawyer
J.W. Stielper

Consultants To The Firm:
Marvin Blumberg
Howard T. Head
Harold L. Kassens
Ogden L. Prestholdt

upgrade proposal is not acceptable and grantable. The Petition requests an upgrade in classification from A to C3 on the present frequency for station WGUL-FM, plus a request that its license be modified to reflect the change.

In order to accomplish the upgrade in compliance with the Commission's standards, it is also proposed to change the frequency of station WKZM(FM) at Sarasota, Florida. Station WKZM is presently authorized to operate on channel 288A (105.5 MHz). It is proposed to change the WKZM Sarasota assignment from channel 288A to channel 282A (104.3 MHz). No other changes to the FM Table of Allotments (Section 73.202 of Commission's Rules) are proposed. This includes no proposed change in frequency and transmitter site for Station WCAC(FM) at Sebring, Florida as was proposed in WGUL-FM's original Class C2 upgrade Petition. The following tabulation summarizes the proposed changes:

<u>Location</u>	<u>Present</u>	<u>Proposed</u>
New Port Richey, FL	288A	288C3
Sarasota, FL	273C, 288A, 292A	273C, 282A, 292A

Table I presents the separation study for channel 288C3 from the present transmitter site of WGUL-FM. As noted above, this Petition also proposes to change the WKZM allotment on channel 288A at Sarasota to channel 282A. As shown by Table I with the proposed changes, channel 288C3 can be assigned in compliance with the Commission's minimum separation standards.

Figure 1 is a map showing the area where a channel 288C3 transmitter site must be located based on the information contained in Table I. The present WGUL-FM site and New Port

Richey city limits (based on 1980 U.S. Census information) are identified. The WGUL-FM site is approximately 4.2 kilometers (2.6 miles) from the furthest point of the New Port Richey city limits. With maximum permitted Class C3 transmitting facilities (25 kW, 100 meters), the predicted 3.16 mV/m (70 dBu) principal city contour would extend to approximately 23.2 kilometers (14.4 miles). Therefore, principal city coverage will not be a problem for the proposed channel 288C3 allotment.

The proposed New Port Richey allotment upgrade to Class C3 will permit WGUL-FM to improve coverage to a significant population and area. The present WGUL-FM operation on channel 288A is for an effective radiated power of 3 kW and an effective antenna height of 78 meters (255 feet) above average elevation of the surrounding terrain. As a Class C3 assignment, station WGUL-FM would be permitted transmitting facilities up to an effective radiated power of 25 kW with an effective antenna height of 100 meters (328 feet) above average elevation of the surrounding terrain. The present WGUL-FM predicted 1 mV/m (60 dBu) contour encompasses an estimated population of 174,166 persons (1980 U.S. Census) and a land area of 797 square kilometers (308 square miles). With a maximum facility Class C3 operation the predicted 1 mV/m contour would encompass an estimated population of 614,371 persons within a land area of 2,336 square kilometers (902 square miles). This would represent nearly 350% increase in predicted population served and nearly a 290% increase in predicted 1 mV/m service area.

Table II is the separation study for channel 282A at an assumed site near Sarasota. It is proposed to substitute channel 282A for WKZM's present assignment on channel 288A. The use of channel 282A will require a restriction that the

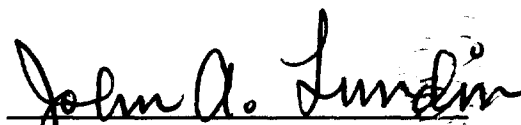
transmitter site be located approximately 6 kilometers (3.7 miles) south of the Sarasota city reference point. The separation study (Table II) is based on an assumed site located approximately 6.3 kilometers (3.9 miles) south of the Sarasota reference point and approximately 8.8 kilometers (5.5 miles) southwest of the present WKZM transmitter site. Table II demonstrates that channel 282A at the assumed site complies with the Commission's minimum separation requirements. As noted by exhibits attached elsewhere in this Petition, the WKZM licensee has consented to the proposed site and frequency changes.

Figure 2 is a map showing the area where a channel 282A transmitter site must be located to comply with the Commission's separation standards. It is based on the information contained in Table II. The present WKZM transmitter site, assumed channel 282A site, and Sarasota city limits (based on information contained in the 1980 U.S. Census) are identified. From the assumed channel 282A site, the furthest point of the Sarasota city limits is approximately 12.5 kilometers (7.8 miles). With maximum permitted Class A transmitting facilities (3 kW, 100 meters), the predicted 3.16 mV/m (70 dBu) principal city contour would extend to 13.7 kilometers (8.5 miles). Therefore, the Commission's principal city coverage requirement can be met from the assumed channel 282A site with maximum Class A transmitting facilities.

In summary, the FM allotment changes proposed herein as an alternative to WGUL-FM's original Class C2 Petition, can be made in compliance with the Commission's standards. Channel 288A can be upgraded to channel 288C3 for station WGUL-FM at New Port Richey, Florida. Channel 282A can be substituted for channel 288A at station WKZM in Sarasota, Florida. Both channel

changes can be made in compliance with the Commission's separation standards, and enable station WGUL-FM to significantly improve its service to the surrounding area.

Affiant states that this engineering report was prepared by him personally or under his direction and that all facts contained herein are true of his own knowledge except where stated to be on information or belief, and as to those facts, he believes them to be true.


John A. Lundin

Subscribed and sworn to before me this 1 day of June, 1989.


Notary Public

My Commission Expires August 31, 1989.

TABLE I

FM SEPARATION STUDY

Job Title :Present WGUL-FM Transmitter Site					Separation Buffer 65 km			
					FCC DB Date : 04/25/89			
Channel 288C3 (105.5 MHz)					Coordinates : 28-15-32 82-43-54			

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
WYNFFM LIC	Tampa FL	BMLH880122KB	235C 94.9	100. 393.0	27-49-09 82-14-26	135.3	68.61 37.61	31 CLEAR
W285AP LIC	Lady Lake FL	BLFT870902TA	285D 104.9	.002 .0	28-57-10 81-52-33	47.1	113.68	TRANS
TRANSLATOR FOR WMFQ, OCALA, FL.								
WBJWFM LIC	Orlando FL	BLH820712AI	286C 105.1	100. 399.0	28-36-17 81-05-13	76.2	165.64 69.64	96 CLEAR
ALC	Solana FL		287A 105.3		26-56-14 81-58-46	153.1	164.22 80.22	84 CLEAR
SITE RESTRICTED - EFFECTIVE 7-28-86								
WGUL LIC	New Port Richey FL	BLH6522	288A 105.5	3.00 78.0	28-15-32 82-43-54	.0	.00	
WKZM LIC	Sarasota FL	BLH6432	288A 105.5	3.00 55.0	27-19-25 82-27-40	165.6	107.02	/1
WCAC LIC	Sebring FL	BLH4041	288A 105.5	3.00 46.0	27-28-06 81-27-03	124.6	153.59 15.59	138 CLOSE
WYKS LIC	Gainesville FL	BLH4780	288A 105.5	3.00 81.0	29-37-52 82-25-18	11.1	155.07 17.07	138 CLEAR
WCAC APP	Sebring FL	BPH880722ID	288A 105.5	3.00 100.0	27-27-13 81-24-23	124.2	158.13 20.13	138 CLEAR
NEW APP	Watertown FL	BPH871202MF	289A 105.7	3.00 100.0	30-11-47 82-40-48	1.3	214.80 130.80	84 CLEAR
NEW APP	Englewood FL	BPH870910NS	290A 105.9	3.00 100.0	27-01-07 82-17-10	162.2	144.31 102.31	42 CLEAR

Amended 881108

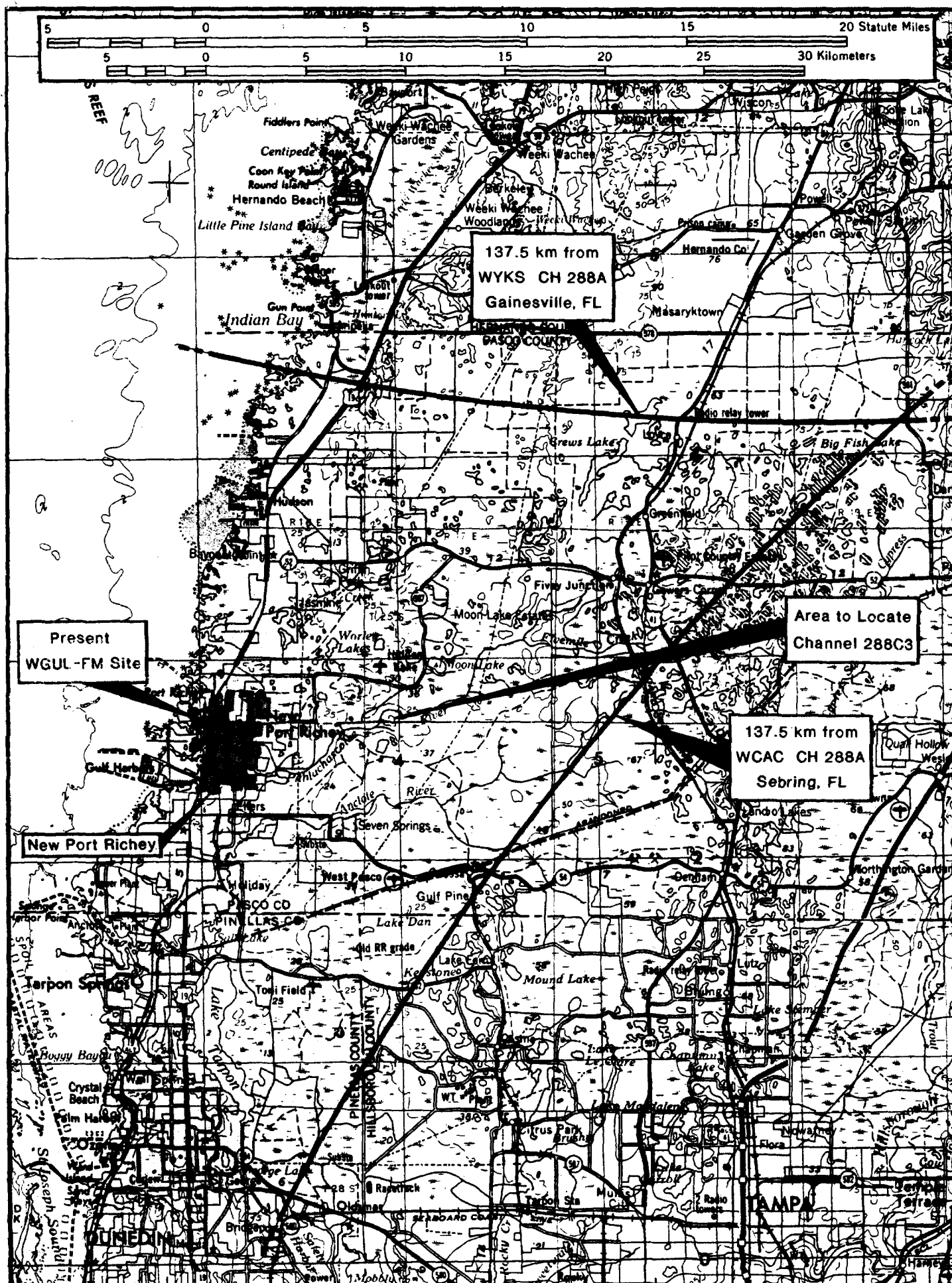
TABLE I (CONTINUED)

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
WOCL LIC	Deland FL	BLH870721KC	290C 105.9	100. 482.0	28-55-16 81-19-09	61.6	156.47 60.47	96 CLEAR

** End of separation study for channel 288C3 **

/1 It is proposed to change the WKZM(FM) Sarasota assignment from Channel 288A to Channel 282A. Hence, there will be no "short-spacing".

Figure 1



FM SEPARATION STUDY

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
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/1 Assumed site for WKZM(FM) on channel 282A at Sarasota (See Figure 2).

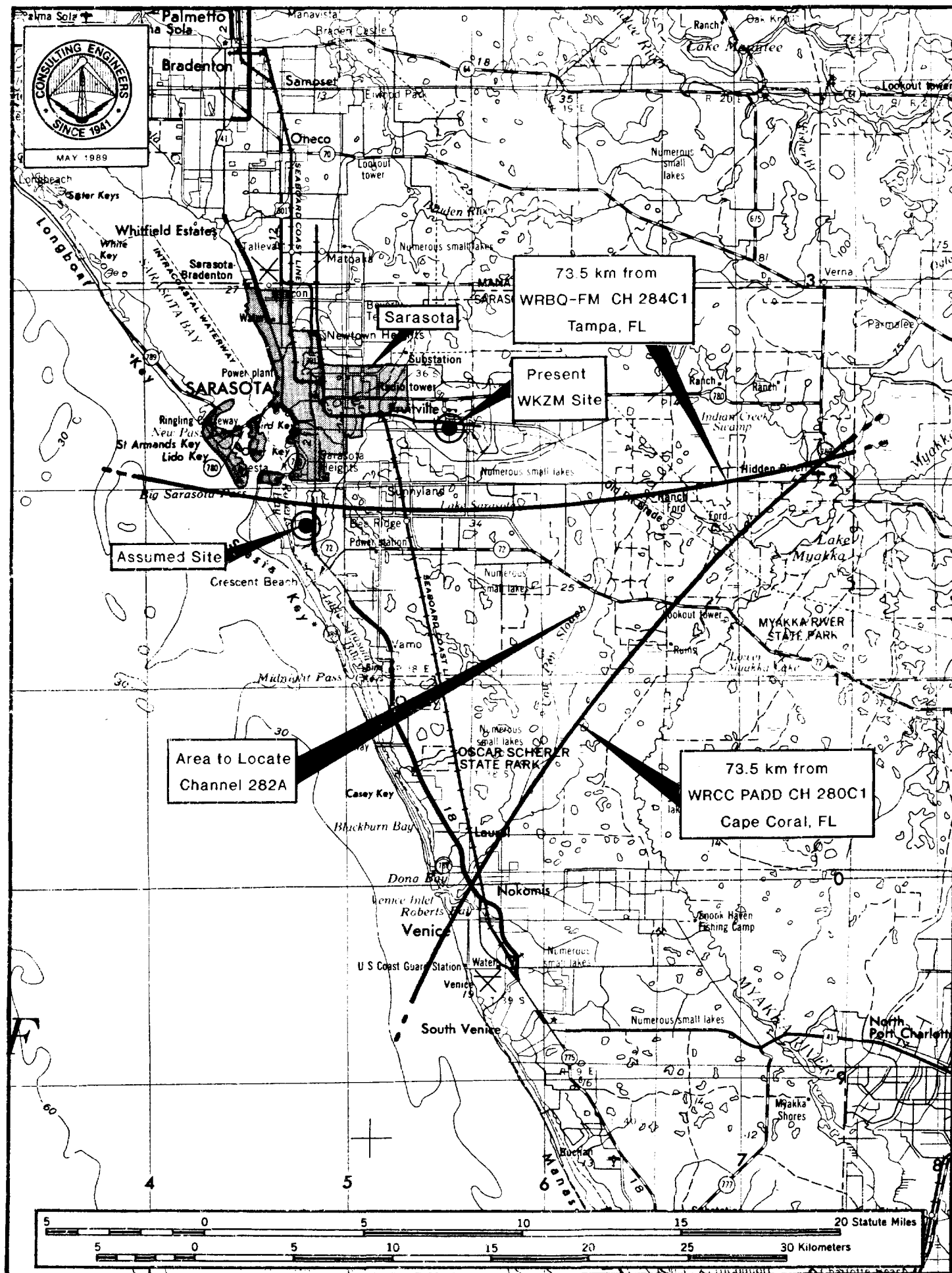


Exhibit 2

WGUL-FM, INC.
7212 U.S. Highway 19
New Port Richey, Florida 34652

Mr. Lowell A. Brubaker
President
Christian Fellowship Mission, Inc.
P.O. Box 7627
Sarasota, Florida 34278

Dear Lowell:

This letter will memorialize the terms of our agreement to modify the Agreement made and entered into as of October 6, 1988 by and between WGUL-FM, Inc. ("WGUL") and Christian Fellowship Mission, Inc. ("CFM").

Specifically, we have agreed that, depending on circumstances, it may not be feasible for WGUL to continue to prosecute to a successful conclusion its proposal to upgrade WGUL-FM in New Port Richey, Florida, to specify operations on Channel 288C2 in that community, and that it may become necessary, as an alternative, for WGUL to seek to upgrade WGUL-FM to a Class C3 station, rather than to a Class C2 facility. We both recognize, however, that WGUL will not be able to file a petition for rulemaking seeking an upgrade of WGUL-FM to Class C3 status until the FCC's new Class C3 rules become effective. We further recognize that it will be necessary for your station, WKZM(FM) in Sarasota, Florida, to have its license modified by the FCC to specify operations on Channel 282A in lieu of Channel 288A in Sarasota, Florida, in order to accommodate an upgrade of WGUL-FM's facilities to either Class C2 status or Class C3 status.

Accordingly, we have agreed that, should WGUL decide to seek an upgrade of WGUL-FM's facilities to Class C3 status, CFM will fully support such a petition and will file comments in support with the FCC and will, if requested by WGUL, file its own petition for rulemaking (to be prepared by WGUL's attorneys at WGUL's sole expense) asking the Commission to modify WKZM(FM)'s channel from Channel 288A in Sarasota to Channel 282A in Sarasota. Such pleadings will be filed with the FCC on behalf of CFM upon the request of WGUL.

In the event that WGUL modifies its proposal before the FCC to seek upgrade of WGUL-FM's facilities to Class C3 status, rather than to Class C2 status, then all of the other provisions of the October 6, 1988 Agreement between WGUL and CFM will continue in effect, but subject to substituting, in all appropriate places, references to a Class C3 upgrade proposal, instead of a Class C2 upgrade proposal; provided, however, that,

in the event of pursuit of a Class C3 upgrade by WGUL, the provisions of Paragraph 9(f) of the October 6, 1988 Agreement will ~~not be applicable and will be considered null and void.~~

*L.A.B.
5/31/89*
be reduced to one half of stated amount. (\$50,000) total.

However, we have agreed that, in the event that WGUL is successful in obtaining an upgrade of WGUL-FM's facilities to Class C3 status, and in the event that, thereafter, WGUL seeks and obtains from the FCC authorization to further upgrade WGUL-FM's facilities to Class C2 status, the consideration set forth presently in Paragraph 9(f) of the October 6, 1988 Agreement will be payable by WGUL to CFM on the terms and at the times and subject to the conditions set forth in the October 6, 1988 Agreement. This latter consideration shall be the sole consideration payable by WGUL to CFM in relation to any subsequent upgrade of WGUL-FM's facilities to Class C2 status from Class C3 status.

If the foregoing accurately embodies our mutual agreements and understandings, please sign and date the enclosed extra copy of this letter and return it to me.

Very truly yours,

WGUL-FM, INC.

By: 

Carl J. Marcocci
President

Accepted and agreed to on

this 31st day of May, 1989

CHRISTIAN FELLOWSHIP MISSION, INC.

By: 

Lowell A. Brubaker
President

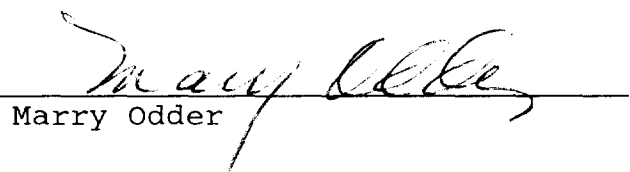
CERTIFICATE OF SERVICE

I, Mary Odder, a secretary with the law firm of Kaye, Scholer, Fierman, Hays & Handler, do hereby certify that on this 1st day of June, 1989, I caused to be hand-delivered or mailed, via U.S. first-Class mail, postage prepaid, a copy of the foregoing "Supplement to Petition for Rulemaking and Request for Issuance of Order to Show Cause" to the following:

Karl A. Kensinger, Esq. *
Acting Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W.
Room 8322
Washington, D. C. 20554

Mr. Lowell A. Brubaker
President
Christian Fellowship Mission, Inc.
P. O. Box 7627
Sarasota, Florida 34278

Mr. Robert T. Rowland, Jr.
President
Roper Broadcasting, Inc.
Radio Station WCAC(FM)
P. O. Box 871
Sebring, Florida 33870


Mary Odder

* Hand Delivered